

City Council Agenda

Council President
Lee Brand

Councilmembers

Oliver L. Baines III
Andreas Borgeas
Clinton J. Olivier - Acting President

Sal Quintero
Larry Westerlund
Blong Xiong

City Manager
Mark Scott

City Clerk
Rebecca E. Klisch, CMC

City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

FISCAL YEAR 2011-2012 BUDGET WORKSHOP SESSIONS – TO BE HELD IN THE COUNCIL CHAMBERS (SUBJECT TO CHANGE)

Please Note: Department budgets will generally be considered as listed below. Members of the public will be allowed to address the Council regarding the budget and will be allowed two (2) minutes. Please be advised consideration of some departments may be continued to the next scheduled hearing date if discussions run long, and other departments may be considered in advance of the date and time listed.

May 23 -	8:30 A.M. – 5:00 P.M. –	Mayor opening remarks – General Fund overview – Airports Dept. and Finance Department
May 24 -	8:30 A.M. – 5:00 P.M. -	City Clerk, City Attorney, Fire and Police Departments
May 25 -	11:00 A.M. – 5:00 P.M. -	Dept. of Public Utilities and Public Works Department

May 26, 2011

8:30 A.M. ROLL CALL

Invocation by reverend Sharon Stanley

Pledge of Allegiance to the Flag

Ceremonial Presentations:

PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve Council minutes of May 19, 2011

Action Taken: Approved

Councilmember Reports and Comments

Action Taken: Made

Approve Agenda

Action Taken: Approved

Adopt Consent Calendar

Action Taken: Adopted

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered.

- A. **RESOLUTION** - Establishing comparisons for purposes of establishing retirement benefits for deleted classes – Personnel Services Department
Action Taken: Discussed and continued 4 weeks for review and report from Pension Task Force
- B. * Approve Side Letter of Agreement with Fresno City Employees Association, Unit 3, regarding status, seniority, and probationary periods, for Community Revitalization Specialist classes – Personnel Service Dept.
Action Taken: Approved
- C. Adopt Findings of Categorical Exemption per staff determination, pursuant to Sections 15301(c)(f)/Class 1 (existing facilities), and 15332/Class 32 (in-fill development) of the CEQA Guidelines, or the installation of traffic signals, curb ramps and transition pavement at the northeast corner of the intersection of McKinley and Hughes Avenues (**Property located in District 3**) – Public Works Department
Action Taken: Adopted
 - 1. Approve acquisition of one (1) public street easement from a portion of one (1) parcel of property owned by Rosenbalm Properties, LLC, a California limited liability company, in the amount of \$6,800 for the installation of traffic signals, curb ramps and transition pavement at the northeast corner of the intersection of McKinley and Hughes Avenues
Action Taken: Approved
- D. * **RESOLUTION** - 94th amendment to the Annual Appropriation Resolution (AAR) No. 2011-138 appropriating \$75,000 for supplemental groundwater investigation and remedial action at the City of Fresno sanitary landfill (**Requires 5 affirmative votes**) (**Property located in District 3**) – Dept. of Public Utilities
Action Taken: Resolution No. 2011-94 adopted

1. **CONSENT CALENDAR CONTINUED**

- E. Adopt Findings of Categorical Exemption per staff determination, pursuant to Sections 15301(c)(f)/Class 1 (existing facilities), and 15332/Class 32 (in-fill development) of the CEQA Guidelines, for the installation of traffic signals, curb ramps and transition pavement at the northwest corner of the intersection of McKinley and Hughes Avenues (**Property located in District 3**) – Public Works Department
Action Taken: **Adopted**
1. Approve acquisition of one (1) public street easement from a portion of one (1) parcel of property owned by Socorro Higareda, in the amount of \$5,000 for the installation of traffic signals, curb ramps and transition pavement at the northwest corner of the intersection of McKinley and Hughes Avenues
Action Taken: **Approved**
- F. Approve 12-month extension to exclusive negotiation agreement between the City of Fresno and Children & Families Commission of Fresno County ("First 5") for the potential sale of a parcel of City-owned real property in downtown Fresno (APN 466-094-09t) to First 5 – Development and Resource Management Dept.
Action Taken: **Approved**
- G. **RESOLUTION** - Authorizing submission of an application to the Department of Resources Recycling and Recovery (CalRecycle) for a waste tire enforcement grant, and authorizing the Department of Resource Management's Assistant Director to sign – Development and Resource Management Dept.
Action Taken: **Resolution No. 2011-95 adopted**
- H. * **BILL NO. B-16 – (Intro. 5/19/2011) (For adoption)** - Amendment to Subsection (a) of Sections 7-504 and 7-505 of the Fresno Municipal Code relating to local sales and use taxes, pursuant to the Memorandum of Understanding (MOU) with Fresno County– Finance Department
Action Taken: **Ordinance No. 2011-16 adopted**

CONTESTED CONSENT CALENDAR

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:15 A.M. **GENERAL ADMINISTRATION**

- A. Approval of the first amendment to the Fresno-Clovis water system interconnection agreement in an estimated annual amount of \$133,041 for treatment and delivery of potable water to Community Service Area 51 (County of Fresno) - Dept. of Public Utilities
Action Taken: **Approved**
- B. **RESOLUTION** – Authorizing the submittal of an application for, and acceptance of, U.S. Department of Housing and Urban Development (HUD) 2011 Healthy Homes Production Program Funding in the amount of \$2,000,000 and authorize the Development and Resource Management Department Assistant Director, or his/her designee, to execute program documents - Development and Resource Management Department
Action Taken: **Resolution No. 2011-96 adopted**
- C. **RESOLUTION** – Authorizing the submittal of an application for, and acceptance of, U.S. Department of Housing and Urban Development (HUD) 2011 lead-based paint hazard control grant program funding in the amount of \$3,150,000 and authorize the Development and Resource Management Department Assistant Director, or his/her designee, to execute program documents - Development and Resource Management Department
Action Taken: **Resolution No. 2011-97 adopted, as amended**

9:15 A.M.

GENERAL ADMINISTRATION CONTINUED

- D. Authorize the Interim Director of the Development and Resource Management Department to expand the professional services agreement with the firm of Dyett & Bhatia Urban and Regional Planners approved by City Council August 19, 2010 to include an additional amount not to exceed \$700,000 to complete the technical studies related to the Fresno 2035 General Plan and development code update as approved and funded by the City's grant award from Proposition 84 administered by the California Strategic Growth Council – Development and Resource Management Dept.

Action Taken: Discussed and continued to 6/9/2011

9:30 A.M.

CITY COUNCIL

- A. Recommendation for pre-emptive budget motion for fiscal year 2011-2012 budget – Council President Brand

Action Taken: Discussed and continued to budget motions

10:00 A.M.

HEARING regarding City of Fresno Community Facilities District No. 11, Annexation No. 42, Tract No. 5977 (*Property located on the northwest corner of International and Chestnut*) (*Property located in District 6*) - Public Works Dept.

Action Taken: Held

- a. **RESOLUTION** – Annexing territory to Community Facilities District No. 11 and authorizing the levy of a special tax
Action Taken: Resolution No. 2011-98 adopted
- b. **RESOLUTION** - Calling a special mailed-ballot election
Action Taken: Resolution No. 2011-99 adopted
- c. **RESOLUTION** - Declaring election results
Action Taken: Resolution No. 2011-100 adopted
- d. * **BILL** – Levying a special tax for the property tax year 2011-2012 and future tax years with and relating to Community Facilities District No. 11, Annexation No. 42
Action Taken: Bill No. B-18/ordinance No. 2011-17 adopted

10:15 A.M.

REGULAR MEETING OF THE REDEVELOPMENT AGENCY

Approve Agency minutes of May 12, 2011

Action Taken: Laid over

- A. Agency Board approve the following actions related to the proposed rehabilitation of 129 N. College Avenue, Fresno, CA 93701 (APN 459-311-10) in the Freeway-99 Golden State Corridor Redevelopment Project Area:
1. Adopt a finding of a Categorical Exemption per staff determination, pursuant to Section 15301 Class 1, Section 15303 Class 3, and Section 15304 Class 4 of the CEQA Guidelines, for the rehabilitation of a single family home, construction of a new garage and landscaping located at 129 N. College, Fresno, CA 93701 (**Agency action**)
Action Taken: Adopted
 2. Approve a joint agreement between the Redevelopment Agency of the City of Fresno and the State Center Community College District for participation in a reconstruction program for the rehabilitation of 129 N. College Avenue, Fresno, CA 93701 (**Agency action**)
Action Taken: Approved
 3. Approve a services agreement between the Redevelopment Agency of the City of Fresno and the Coalition for Urban Renewal Excellence (CURE) for construction contracting/consulting services related to a housing reconstruction program with Fresno City College involving the rehabilitation of 129 N. College Avenue, Fresno, CA 93701 (**Agency action**)
Action Taken: Approved

ADJOURN AGENCY

CLOSED SESSION

- A. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
1. **Case Name:** Carpenter's Local Union 701 v. City of Fresno
Action Taken: Held

FISCAL YEAR 2011-2012 BUDGET WORKSHOP SESSIONS – TO BE HELD IN THE COUNCIL CHAMBERS

- A. Personnel Services Department - **Held**
B. **WORKSHOP** - Worker's Compensation - **Held**
C. Transportation Department - **Held**
D. Information Services Department - **Held**
E. Convention Center- **Held**

PLEASE NOTE: SCHEDULED AND UNSCHEDULED COMMUNICATIONS ARE NOT TIMED AND MAY BE HEARD ANY TIME DURING THE MEETING

SCHEDULED COMMUNICATION –

UNSCHEDULED COMMUNICATION – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

SCHEDULED COUNCIL HEARINGS AND MATTERS

June 2 -	NO MEETING –	MEMORIAL DAY
June 9 -	MEETING	8:30 A.M.
June 16 -	10:00 A.M.	HEARING re: CFD No. 11, Annexation 43, Tract No. 5838
June 16 -	5:30 P.M.	PUBLIC HEARING regarding the 2011-2012 City of Fresno budget

FISCAL YEAR 2011-2012 BUDGET WORKSHOP SESSIONS – TO BE HELD IN THE COUNCIL CHAMBERS

May 27 -	8:30 A.M. – 5:00 P.M.	Mayor/City Manager, Council, DARM, Parks, BMSD/CDBG and General City purpose
June 16 -	5:30 P.M.	PUBLIC HEARING regarding the 2011-2012 City of Fresno budget
June 20 -		Redevelopment Agency
June 24 -		Adoption of the Fiscal Year 2011-2012 Budget
June 27 -		Spillover
June 28 -		Spillover
July 21 -	3:00 P.M.	PUBLIC PROTEST HEARING and approval of items related to non-exclusive roll-off collection franchise system